REMARKS

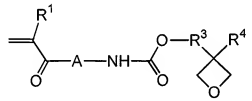
Claims 1-6 are all the claims pending in the application. Claims 2-4 have been amended to correct a typographical error. Claim 5 has been amended to recite a production method of a compound represented by formula (1). Support can be found in Claim 1 of the present application. Thus, no new matter has been added herein.

Applicants kindly request the Examiner to indicate in the next Office communication, that all of the certified copies of the priority documents had been received by the Patent Office.

A. Response to Rejection of Claims 1-4

Claims 1-4 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over JP 11246541 to Mikito et al. (only the English Abstract is cited by the Office) ("Mikito") in view of U.S. Patent No. 6,166,100 to Hiwara et al. ("Hiwara"). Applicants respectfully traverse for the following reasons.

Independent Claim 1 is directed to an oxetane compound containing a (meth)acryloyl group, which is represented by formula (1) below:



(1)

wherein R^1 represents a hydrogen atom or a methyl group, A represents $-OR^2-$ or a bond, R^2 represents a divalent hydrocarbon group which may contain an oxygen atom in the main chain, R^3 represents a linear or branched alkylene group having 1 to 6 carbon atoms, and R^4 represents a linear or branched alkyl group having 1 to 6 carbon atoms.

In the Office Action, it is argued that the "X" in the formula disclosed in Mikito corresponds to Applicants' R^1-C(C=)-C(O=)-A- of formula (1), recited in Claim 1, when "X" is a bifunctional aliphatic residue. It is also asserted that C= and O= are well-known and recognized organic functional groups, and would have been apparent to one having ordinary skill in the art. *See* Office Action at paragraph 1, page 3. Applicants respectfully disagree with these assertions, and submit that the references to not anticipate or render obvious the presently claimed invention, as discussed below.

First, Mikito does not teach, suggest or otherwise render obvious Claim 1, because the structure disclosed in Mikito is different from the structure of the compound represented by formula (1), recited in Claim 1. Specifically, in Mikito it is disclosed that (n) is 2 or 3. In present formula (1), there is no (n), but if there was, (n) would only equal 1. Thus, the structure of the formula in Mikito does not teach the structure of the formula (1) recited in Claim 1. Thus, there is nothing in Mikito that would teach or suggest or render obvious by any other means, to one having ordinary skill in the art that (n) should be 1, where Mikito teaches that (n) equals 2 or 3.

Moreover, although Hiwara discloses CH_2=(CR_2)-(C=O)-, it does not disclose the rest of formula (1). Thus, the combination of Hiwara with Mikito does not disclose the entire formula (1) as presently claimed, since the combination teaches (n)=2 plus the acryloyl group from Hiwara linked to Mikito's X for a total of three groups linked to Mikito's X. Moreover, the Office has failed to point to any portion of Mikito or Hiwara that would teach, suggest, or render obvious by any other means, formula (1) recited in present Claim 1, where the formula is not disclosed in either reference, let alone a combination of the two references.

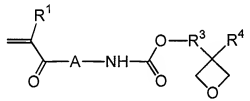
As for the Office's assertion that "X" in the formula (where "X" is a bifunctional aliphatic residue) disclosed in Mikito corresponds to Applicants' R^1-C(C=)-C(O=)-A- of formula (1), and that C= and O= are well-known and recognized organic functional groups, Applicants submit that if Mikito's X were to correspond to Applicants' R^1-C(C=)-C(O=)-A-, it would not be bifunctional, contrary to the Office's assertion.

In view of the above, it is respectfully submitted that Claims 1-4 are patentable over the combination of Mikito in view of Hirwara, and thus, withdrawal of the rejection is respectfully requested.

B. Response to Rejection of Claims 5-6

Claims 5-6 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Mikito. Applicants respectfully traverse for the following reasons.

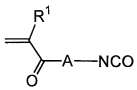
As amended, independent Claim 5 is directed to a production method of a compound represented by formula (1) below



(1)

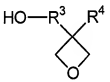
wherein R^1 represents a hydrogen atom or a methyl group, A represents -OR^2- or a bond, R^2 represents a divalent hydrocarbon group which may contain an oxygen atom in the main chain, R^3 represents a linear or branched alkylene group having 1 to 6 carbon atoms, and R^4 represents a linear or branched alkyl group having 1 to 6 carbon atoms,

wherein an isocyanate compound containing a (meth)acryloyl group represented by formula (5) below is reacted with an oxetane compound containing a hydroxyl group represented by formula (6) below



(5)

wherein R^1 represents a hydrogen atom or a methyl group, A represents $-OR^2-$ or a bond, and R^2 represents a divalent hydrocarbon group which may contain an oxygen atom in the main chain



(6)

wherein R^3 represents a linear or branched alkylene group having 1 to 6 carbon atoms, and R^4 represents a linear or branched alkyl group having 1 to 6 carbon atoms.

As discussed above under section A, Mikito fails to teach, suggest, or render obvious by any other means, the method of producing an oxetane compound, where there is only one oxetanyl group (i.e. (n) = 1), and not where (n) = 2 or 3, as in Mikito.

Claim 6 depends from Claim 5. Applicants submit that dependent Claim 6 is patentable over Mikito for at least the same reasons discussed above, that Claim 5 is patentable over Mikito.

Accordingly, it is respectfully submitted that Claims 5-6 are patentable over Mikito, and thus, withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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